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Burger Stresses Defense

By Gene Blake
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JACKSON LAKE, Wyo., July 1—U.S. Chief Justice Warren Earl Burger said here today the defense side of criminal cases needs strengthening more than the prosecution side.

His remark to judges from six states conflicts with several analyses of his philosophy published since his appointment.

Burger referred to one such account as a "psychoanalysis" which reported he felt prosecutors had been weakened in recent years.

"That couldn't be more wrong," he said. "In the past the defense side has not been strengthened enough."

He said the whole thrust of a report by an American Bar Association committee on prosecution and defense functions, which he headed, was that the defense area must be strengthened.

"We must get better trained lawyers on the defense side," the Chief Justice declared. "The quality of all three legs of the stool—prosecution, defense and the judge—must be strengthened."

Burger was the principal

speaker at the annual Judicial Conference of the 10th U.S. Circuit. State judges from Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming are special guests of the Federal judges.

"Talk of outside activities of judges is totally irrelevant to the matter of improving the administration of justice," Burger said.

"Far from withdrawing from such outside activities, I intend to intensify them."

Gov. Stanley K. Hathaway Utah told the judges that state legislatures have failed to reform criminal law and that is why the U.S. Supreme Court has taken the initiative.

He commended the court for its action, despite controversy over some key decisions.

Gov. Stanley K. Hathaway of Wyoming, in a welcoming address, referred to disclosures of outside activities which led to the resignation of Abe Fortas from the U.S. Supreme Court.

The danger lies not only in whether Fortas was guilty of unethical conduct he said, but in the impact the incident had on the court's public image.

Also attending the conference, which continues through Thursday, are Supreme Court Justices Byron White and Thurgood Marshall and retired U.S. Supreme Court Justice Tom C. Clark.